BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESEE

August 7, 2003

IN RE:	
COMPLAINT OF MCIMETRO ACCESS TRANSMISSION SERVICES, LLC AND BROOKS FIBER COMMUNICATIONS OF TENNESSEE, INC. AGAINST BELLSOUTH TELECOMMUNICATIONS, INC. FOR OVERCHARGING OF HIGH CAPACITY CIRCUITS	DOCKET NO. 03-00145

ORDER GRANTING JOINT MOTION FOR STAY OF PROCEEDINGS

This case is before the Hearing Officer on the *Joint Motion for Stay of Proceedings* ("*Motion*") filed by MCImetro Access Transmission Services, LLC, Brooks Fiber Communications of Tennessee, Inc. (collectively "MCI"), and BellSouth Telecommunications, Inc. ("BellSouth") on August 1, 2003.¹

As grounds for the *Motion*, MCI and BellSouth state that they have entered into a Settlement Agreement resolving all claims raised by MCI in this case. The Settlement Agreement provides for dismissal of this case with prejudice upon the occurrence of certain conditions, including approval of the Settlement Agreement by the court presiding over MCI's bankruptcy proceedings. According to MCI and BellSouth, the claims raised in this case will likely be resolved without further intervention by the TRA and, therefore, the Parties ask that the proceedings be stayed until such time as MCI moves for dismissal

¹ The Parties filed the same motion on July 30, 2003 on behalf of MCImetro Access Transmission Services, LLC, MCI WorldCom Communication, Inc., and BellSouth Telecommunications, Inc. The Parties submitted a revised motion on August 1, 2003, substituting Brooks Fiber Communications, Inc. for MCI WorldCom Communications, Inc. pursuant to the complaint filed in this docket on February 19, 2003.

of the case with prejudice or one or both of the Parties notify the TRA that further proceedings are required.

In order to facilitate settlement, the proceedings in this case are hereby stayed. This case shall be reopened at the request of either Party. If MCI does not move for dismissal of the complaint within ninety days from the entry date of this order, MCI and BellSouth are directed to file, on that date, a report detailing the status of the Settlement Agreement.

IT IS THEREFORE ORDERED THAT:

- 1. The *Joint Motion for Stay of Proceedings* filed by MCI and BellSouth is granted.
- 2. MCI and BellSouth shall file, no later than ninety days from the entry date of this order, a report on the status of the Settlement Agreement, in the event that the complaint in this matter has not been dismissed by that time.

Kim Beals, Hearing Officer